G. R. S. 58]

Previous references.

File No. 159-14

1915.

(Local Bds)

Serial Nos. 112

Later references.

LB 170-14 & 112 B. Jany 1915

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 112

Part B for September 1915

SUBJECT.

Proposal for leasing out the collection of fees on Shandy days in the Attigode market Hunsur taluk.

G.O. No. 5326-7 dt. 7.1.16

Sanctions the proposal for leasing out the collection of fees on Shandy days in the Attigode market, Hunsur taluk

GPB—10,000—23-3-15

W. B. Farrow 23/9/15

15/9/15

G.R.S. 11. 1914-15

GENERAL AND REVENUE SECRETARIAT.

(LB) 3500

NOTES.

File No. 159/14

FILE HEADING.

Collection of fees in the Attigodu market Hunsur Taluq

From

The President District Board Mysore

No. 389 Dated 28.11.14. Received 1.12.14.

Diary No. 3500	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Solicits sanction for leasing out the collection of fees on Shandy days in the Attigodu market Hunsur Taluq.

NOTES AND ORDERS.

Draft put up for orders

KPS 4.12.14

2) Under what Sec of the Local Boards Regulation or under which of the Rules framed thereunder is this fee levied?

3) Is it permissable to lease out the right of collection

Mon. 8/12

NOTES—First Sheet.

GPB—35,000—15-6-12

movable property of the person by whom it is payable shall at once be seized and sold by the President of the Taluk Board or any person duly authorised by him in that behalf".

7) The questions for consideration are

(i) whether the omission to provide for the farming out of the right of collecting fees was not deliberate and intentional

(ii) whether a Contractor can be recognized as the 'person' to whom the President of the TK Board can delegate the powers conferred on him by clauses i & ii of Rule 71.

With regard to the first question it cannot be argued that the omission was an oversight, especially as in the case of tolls, dealt with only a few rules before, the Legislature thought fit to insert a specific provision. If then the omission was deliberate, may it not be taken as suggestive of the intention of the Legislature that the collection should be managed departmentally (amani), and not given out on Contract. It may be mentioned

GPB—25,000—2-11 14

3500

F. R. S. 12]

General and Revenue Secretariat. | LB File No. 159 of 1914.-15

Serial No.

10) The Dy Comm's proposal may be approved - I see no objection if the right being leased out. The omission was not deliberate. The point may be further examined if necessary & an amendment of the Rule proposed - Personal selections are generally best advantageous & work & very often much more expensive than those ~~of private~~ made by private contractors

2nd Member 24/12/14

11) This practice has been in vogue for years past in this Circle. It may be so in other Circles also. So far, no one has questioned its validity - We may therefore remain in it. There is no objection to its continuing pending investigations. If an amendment of the present Rules were to be called for, it will have to be taken up.

22/12

12) Move as proposed

GPB—25,000—2-11-14

General and Revenue Secretariat. | LB File No. 159 of 1914-15

Serial No.

to the following effect may be inserted after clause (1) of the present rule 71 of the L.B. Rules.

" The Taluk Board may lease out the collection of fees subject to the conditions imposed by the District Board "

KP
26.1.15.
BOE

U.O. No. 133 & 29-1-15 20) 27/1 Forwarded unofficially to the Government Advocate for favour of opinion, on the legality or otherwise of the present system of farming out the right to Collect Sanithe & other fees.

By order
Asst Secretariat
for Off. Sec 4.

28/1/15

U.O. 43 dt 4-2-15 21) The Taluk Board is competent to levy the prescribed fees. Under Rule 71 of the rules issued under the Local Boards' Regulation the person concerned is liable to pay any such fee on demand either to the President of the Board or to any other person

TW
6/2

KP.
8/2

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12]

General and Revenue Secretariat.

LR File No. 159 of 1914-15

Serial No.

person authorised under Sub Rule (1) of Rule 70 to demand payment does not ipso facto carry the right to enforce the payment in the manner prescribed in Sub Rule (2) of the same Section. There must be Special Authorisation in that behalf & President of Taluk Boards will take care not to delegate their powers to seize & sell the moveable property of the defaulters to persons like Contractors

Edwardsmuir
Govt. Deputy

5.2.15.

NOTE—Contn. sheet.

GPB—60,000—7-11-13

LB 159-14
Sel.

No. 389/1

D 3500

Office of the President, District Board,
Mysore District.

Dated, Mysore 28th November 1914.

From

A. Subramanya Iyer, Esq., B.A.,
President, District Board of Mysore.

To

D.M.Narasinga Rao, Esq., B.A., B.L.,
Offg. Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

Adverting to Government Proceedings No.4196-8/L.B. 147-12 dated 9-12-1912 sanctioning the levy of fees on shandy days at Attigadu market in the Hunsur taluk and directing that the work of collecting fees by amani - should not be done for mot more than 2 years, I have the honor to state that the matter was placed before the District Board on 25-11-1914 and that it was resolved that the right be leased out. In enclosing herein an extract from the proceedings of the District Board, I request that Government may be pleased to accord sanction to the recommendation of the District Board.

I have the honor to be,

Sir,

Your most obedient servant,

President,
District Board of
Mysore.

GPB.—100,000—29-7-21

191

From

The President of the
District Board
Nilgiris District

To

The Secretary to the Government
of Madras
General and Revenue Departments

Dated

Despatched 28th November 1914

Received

General No. 389
No.

Enclosure No.

Submitting the Extract of the
District Board meeting resolving
that the right of collecting
fees at Attipadi market
in the Coimbatore Taluk
be leased out

Proceedings of the District Board of Nagara passed at a meeting held at 2 PM on Wednesday the 25th March 1914

Ex-Officio Members.

present	1.	The Deputy Commissioner, Nagara District	President
	2.	The Asst Commr. in charge of the Nagara Dist Treasury.	Vice-President
	3.	The Asst Commr. Nanjangud Sub-Dn	Member
	4.	do Nagara Sub-Dn.	do.
	5.	do French Rocks Sub-Dn.	do.
absent	6.	The Executive Engineer Nagara Division	do.
present	7.	The District Medical officer Nagara Dist	do.
	8.	The District Secretary Hdqrs do	do.
	9.	The Dy Inspector of Schools do	do.

Elected members. Taluk Represented.

present	10.	Mr. Madappa, Jahagirdar	Nagara
	11.	" Bonegowda, Land-holder	Yedatore.
	12.	" Nanmankha Setty, Merchant.	Hunsur
absent	13	" M. Subba Rao Contractor	Heggadevankote
present	14	" Chikmallappa	Gundlupet.
	15.	" Govindaswamiya, Merchant	Nanjangud.
	16.	" T. Narasimhachar Land holder	T. Narsipur
	17.	" B. Narasingarao, Pleader	Seringapatam
	18.	" N. Krishna Sastry, Land holder	Krishnarajapet.
	19.	" Gundappa, Shanbogue	Nagamangla
	20.	" Nanjappa Setty, Merchant	Maddur
	21.	" A. Narasimhaya, Land-holder	Melkote.
	22.	" M. G. Shamaiengar, Superintendent Industrial School, Melkote	French Rocks.
	23	" Vacant.	Chamarajapet.

Nominated members.

present	24	" C. Narasimhaiya B.A. B.L. Advocate	Nagara
	25.	" Mir Raza Ali, Land holder & Contractor	Seringapatam.
	26.	Revd. Father Despatures, Catholic Priest	Ganjam.
	27.	Mr. Ambale Annaiah Pandit, Land-holder	Nagara.
absent	28	" T. S. Sivaswamy Iyengar Land-holder	Talkad
present	29	" Kaballi Channa Basappa Land-holder	
	30	" Mahomed Sait, Merchant,	Nagara City.

X X X X X X X X

XVIII Read correspondence ending with Mysore Sub Division Assistant Commissioner's yadi No.930 dated 25-6-1914 recommending as re-
that
solved by the Taluk Board. the right of collecting fees on shandy days at Attigodu Market may be leased out on contract.

Resolved that the right be leased out.

X X X X X X X X

" Extract "

President

District Board

Mysore.